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MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			DICKERSON, CHAD S	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/620,897	<b>Applicant(s)</b> TOJO, AKIHIKO	
	<b>Examiner</b> CHAD DICKERSON	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7, 14-20, 51 and 55-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 14-20, 51 and 55-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/15/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/11/2008 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-7, 14-20, 51 and 55-62 have been considered but are moot in view of the new ground(s) of rejection. The Amendment to the claims has necessitated a new ground(s) of rejection. However, the same references of Ito, Rasche, Tanaka, Rissman and Kitagawa are still being applied in the rejection. In the arguments, the Applicant alleges that the applied references do not perform the feature of having an image sensing apparatus that contains a detection unit for detecting what type of mode that the digital camera is currently operating in during a time when a connection is established with a printer<sup>1</sup>. The Examiner respectfully disagrees with this assertion.

When looking at the claim language and Applicant's arguments, the Examiner still is convinced that the Ito '405 and Rasche '873 references perform the feature of the

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<sup>1</sup> See Applicant's Arguments filed 11/17/2008 in the After Final Amendment.

independent claims. The amended claim feature in question is interpreted as a unit that detects the control relation between an image sensing apparatus and a printing apparatus, during a time when a connection is established between the two devices. The VTR or digital camera of Ito performs this feature. The same arguments that were stated in the final rejection apply to the amended claims, and thus they are listed below with a few more details to make them relevant for the new set of claims.

As described in columns 21 and 22, both types of control are performed with the system of Ito. Disclosed in column 19, lines 44-67 and column 21, lines 34-48, these sections disclose that the camera or VTR sends command data to the printer as control data to the printer, which is considered as the second type. This transmitted data is used to instruct or control the functions of the printer. The Examiner still believes that since the control data is developed by the CPU or controller of the VTR or camera and this information is sent to the printer to control the functions of the printer, then the above mentioned functions of Ito perform the feature of having the controller of the VTR or camera control the functions of the printer. Also, since the above functions occur during a period when a connection is established between the VTR or camera and printer device, the newly added claim language is still performed. Since the VTR or camera cannot perform the above features without being connected to the printer, it should be clear that the determination, or detection, of whether the VTR is sending controlling information or being controlled by the printer is performed when the two devices have an established connection. As stated before, these above cited sections

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are clear examples of the camera controlling the printing device by using instructions to be sent to the printer.

As stated before, in column 21, line 49 – column 22, line 18, this section discloses the printer containing a display and this display enables the user to enter at the printer control and operation instructions. These instructions can be used to operate the VTR, which is clearly disclosed in the above-mentioned section, which is considered as the first type. With both functions being performed by Ito, there is no question as to the system performing both of the functions. However, the Examiner would like to note that the camera is used to perform the controlling function of the printer and can be controlled by the printer. With the camera or VTR performing both features, the camera or VTR has to contain a feature of determining when the printer is performing control over the VTR and when the VTR is utilized by the user to control the functions of the printer through the entering of instructions on the camera or VTR. As stated before, it is inherent to the invention to have the camera or VTR contain a device to determine if the camera is going to control an external device or be controlled by the external device. It is also clear that the VTR or camera has to have a unit to detect whether the instructions entered into the VTR are from the user for the VTR to control the printer (i.e. operating in a 2<sup>nd</sup> mode) or instructions from the printer used to control the VTR (i.e. operating in a 1<sup>st</sup> mode). While the VTR or camera is detecting the incoming instructions, the VTR has established a connection with the printing device. When it comes to direct printing or the printer controlling the VTR, both processes have to occur when both devices have an established connection through the 1394 cable or some

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other communication means. With the VTR or camera containing some control element able to receive instructions and identify whether the VTR or camera is to be controlled or to perform the controlling of another device while being connected to the printing device, a control relation is being both distinguished and established based on the function of the VTR or camera. The Examiner still believes that because of the above explanation, the amended claims are still being performed by the applied references.

As mentioned above, the control of the VTR or camera from the printer is an example of directly accessing the VTR or camera. The secondary reference of Rasche, which also involves a printer able to access a camera, is used to perform the feature of directly accessing the memory of the camera. Therefore, not only is the combination of Rasche appropriate, but it also cures the deficiency of directly accessing the memory of the camera and modifies the Ito reference in manner in which to allow the printer to directly access the memory of the camera. Since the reference of Ito inherently performs the detection of whether the VTR or camera is being controlled through accessing the camera (i.e. considered as the 1<sup>st</sup> mode) or is performing the controlling of the printing device (i.e. considered as the 2<sup>nd</sup> mode) based on instructions received combined with the features of the Rasche reference to directly access the memory of the camera, the feature of the independent claims pertaining to applicant's arguments is performed.

The Examiner would like to briefly reiterate a previous point mentioned in the last correspondence. As stated previously, the system controller (11) of the camera or VTR is used to recognize whether the VTR or camera is controlling the manner in which the

processing of image data is performed or whether the printer is controlling the process. When the printer is used to control the process, the system controller merely follows the instructions from the printer controller and performs the searching for the image data and changing the image data that is to be printed. The data representing confirmation of the image data is presented on the display of the printer. However, when the camera or VTR is in control, the camera does the searching and changes the image data. The camera or VTR then sends control commands to the printer to give it instructions to print image data transmitted to the printer. These functions of the Ito reference involve changing the procedure in which the image is to be processed in a manner that allows the printer to control the processing procedure or the VTR or camera to control the processing procedure<sup>2</sup>. When looking at the above mentioned details, the VTR has to detect instructions that it receives and has to distinguish, based on the received instructions, whether the instructions causing the VTR or camera to operate in a mode that controls the printer or in a mode where the VTR or camera is being controlled by the printer. The VTR or camera has to detect which mode it is operating in order to perform the next process related to the current processing mode (i.e. direct printing or controlled by the printer).

Therefore, with the above explanation, the Examiner still believes that the claim limitations are met with previously applied references and the rejection of the claims are maintained.

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<sup>2</sup> See Ito '405 col. 21, line 35 - col. 23, line 67.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4, 5, 7, 14, 15, 17, 18, 20, 51, 55 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito '405 (USP 6298405) in view of Rasche '873 (USP 7262873).

Re claim 1: Ito '405 discloses an image sensing apparatus comprising an image sensing unit which converts an optical image of an object into an electric image signal (**i.e. in all cameras, the optical component of the camera is the lens. Through the lens is an optical image and when the picture is captured, that optical image from the lens is converted into an electric signal. It is clear that since Ito '405 uses a camera, the basic functions are performed and therefore, the above feature is performed; see fig. 4; col. 18, lines 45-67 and col. 19, lines 1-7**), and an interface (69) capable of communicating with an external printing apparatus (**i.e. the operating unit (69) is used to communicate instructions to the printer (1) as far as printing a image chosen by the user of the camera. The printer (1) is considered as the external processing apparatus; see fig. 4; col. 18, lines 45-67 and col. 19, lines 1-68**), and a control unit (70) which transfers the image signal to the external processing apparatus (1) to process the image signal (**i.e. the system controller can be used to control the**



**transfer of an image to the printer (1) and to command the printer by instructions from the controller (70); see fig. 4; col. 19, lines 45-68), wherein the image sensing apparatus comprises:**

a communication control unit which starts communication between the image sensing apparatus and the external printing apparatus, with the external printing apparatus being a host and the image sensing apparatus being a slave (**i.e. shown in figure 23 is a VTR or camera connected to a printer. The 1349 I/F (13) is analogous to a communication control unit since it is used to start communication between the camera or VTR and the printer (101). The 1349 I/F is used to send control commands to the printer and once the printer receives this information, the printer is uses these commands to perform the instructed process. The printer is able to be controlled by the camera or VTR and therefore, can function as a host in the system. The camera can be used to control the printer through transmitted instructions and therefore, can perform the function of being a slave; see figs. 23 and 26; col. 19, ln 44-64, col. 21, ln 22 – col. 23, ln 45), to transfer the image signal to the external printing apparatus via the interface (i.e. the 1394 I/F is used to transmit sub data for image data to the printer in the system. The transfer occurs from the camera or VTR to the printer via the 1394 I/F; see figs. 23 and 26; col. 19, ln 44-64, col. 21, ln 22 – col. 23, ln 45);**

a detection unit which detects, when a connection between the image sensing apparatus and the external printing apparatus is established (**i.e. in the system, the camera or VTR can send sub data representing commands for the printer to**

**perform, or instructions indicative of the commands. Also, the printer is able to send control instructions to the camera or VTR to control the camera or VTR based on these instructions and this occurs after the same 1394 I/F on the printer communicates with the respective I/F on the camera, or once a connection is established between the two devices; see figs. 23 and 26; col. 19, ln 44-64, col. 21, ln 22 – col. 23, ln 45), whether control relation between the image sensing apparatus (102) and the external printing apparatus (101) is a first type in which the external printing apparatus is configured in such a way that the image sensing apparatus can be accessed directly from the external printing apparatus (i.e. the VTR (102) is a camera with incorporated digital video. This device has the ability to recognize, or detect, when the printer (101) has issued a search for and transfer a designated picture to be transferred or printed. This feature is used when the printer (101) has an operating unit that can output instructions for the VTR. This is an example of the external processing apparatus directly accesses a camera from the printer; fig. 23 and 24; col. 21, lines 50-68 and col. 22, lines 1-19), or a second type in which the external printing apparatus is configured in such a way that processing in the external printing (101) apparatus can be controlled by a controller of the image sensing apparatus (i.e. using the operation unit (10), the VTR (102) can be used to send instructions and control data to the printer (101). The control data can control the process of the printer (101). The VTR has to detect whether it is receiving instructions from a user to performing a controlling function on the printer, or if the instructions received is for the VTR or camera to be controlled; see fig. 23 and**

**24; col. 21, lines 22-44; col. 22, lines 49-67 and col. 23, lines 1-24), by communication with the external printing apparatus via the interface (10) (i.e. the operating unit (10) is used for entry of instructions to control the VTR (102) by the system controller (11); see fig. 23; col. 21, lines 28-44); and**

a processing controller (11) which changes a processing procedure for processing an image in the image sensing apparatus (102) by the external printing apparatus (101) based on the detection **(i.e. the system controller also determines whether direct printing is being performed or not. When in certain modes of printing, the system controller (11) of the VTR (102) processes an image in certain manners. The system controller may allow the printing unit (101) to either access the VTR's images or accept a command from the VTR for printing depending on the type of mode is used. An example of changing a processing procedure for processing an image is shown in columns 21-23. When the image data to be processed is present in a camera or VTR controlling environment, the printer is controlled by the instructions of the VTR or camera to perform a printing operation. The printer is not used to search for an image or anything else other than performing the printing operation. When the image is in a printer controlled environment, the printer instructs the camera or VTR to perform the searching for an image and the printer can change a selected image to be printed. The VTR simply performs the instructions from the printer. This is an example of based on the determination of controlling access, the processing procedure for processing an image is changed from having printer input through giving control instructions**

**to the VTR or camera controlling the whole process without any input or instructions from the printer; see figs. 23-25; col. 21, lines 35-68; col. 22, lines 1-67 and col. 23, lines 1-67).**

However, Ito '405 fails to teach the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus.

However, this is well known in the art as evidenced by Rasche '873. Rasche '873 discloses the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus **(i.e. like the invention of Ito, Rasche involves a printer communicating directly with a camera. However, in the system of Rasche, the photoprinter (30) is able to access data of the computer readable medium (53) on the PC (50) via a communication link (40). The data stored on the computer readable medium (53) can be viewed and printed from the photoprinter. The user may utilize the graphical user interface on the printer to access the photos from the printer on the PC; see figs. 1-3; col. 3, lines 14-50 and col. 5, line 46 – col. 6, line 27).**

Therefore, in view of Rasche '873, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus in order to have a means

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for accessing digital photographs stored on a computer readable medium (as stated in Rasche '873 col. 1, lines 55-67).

Re claim 2: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses the image sensing apparatus, wherein in a case where the control relation is the second type, the external printing apparatus is controlled based on a predetermined file or command from the image sensing apparatus (102) **(i.e. the operating unit (10) is used for entry of instructions for various operations. One of these operations is involves generating command data for direct printing and this control data is transmitted to the printer (101); see fig. 23; col. 21, lines 35-44 and col. 22, lines 66, 67 and col. 23, lines 1-24).**

Re claim 4: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses the image sensing apparatus, wherein in a case where the control relation is the first type, the processing of the image from the image sensing apparatus (102) can be started based on an operation of a switch provided in the external printing apparatus (101) **(i.e. on the printer (101), instructions may be entered on the operating unit (22). These instructions may be transmitted to the VTR (102) to perform operations, such as searching and transmitting desired pictures to print. The switch in the printer (101) is considered to be the operating unit (22) since the operating unit can cause an action in the VTR (102); see fig. 23-25; see col. 21, lines 50-68 and col. 22, lines 1-18).**

Re claim 5: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses the image sensing apparatus, wherein in a case where the control relation is the second type, the external printing apparatus (101) can start the processing of the image from the image sensing apparatus (102) in response to an operation of a switch provided in the image sensing apparatus (102) **(i.e. the operating unit (10) is used for the entry of instructions that can control the VTR (102) and send command data to the printer (101). The operating unit (10) is considered as the switch since the operation of the operating unit (10) can start image processing in the printer (101). Through the command data information from the VTR, the printer may print the image commanded to be printed through the control data; see figs. 23-25; col. 21, lines 35-44 and col. 22, lines 66, 67 and col. 23, lines 1-38).**

Re claim 7: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses the image sensing apparatus, wherein the external printing apparatus (101) is a printing apparatus, which prints the image from the image sensing apparatus (102) **(i.e. the printing apparatus (101) prints the image from the VTR (102), which is considered the image sensing apparatus since it functions as a camera with incorporated video functions; see fig. 23; col. 21, lines 45-49).**

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Re claim 14: Ito '405 discloses a control method for an image sensing apparatus comprising an image sensing unit which converts an optical image of an object into an electric image signal **(i.e. in all cameras, the optical component of the camera is the lens. Through the lens is an optical image and when the picture is captured, that optical image from the lens is converted into an electric signal. It is clear that since Ito '405 uses a camera, the basic functions are performed and therefore, the above feature is performed; see fig. 4; col. 18, lines 45-67 and col. 19, lines 1-7),** and an interface (69) capable of communicating with an external printing apparatus **(i.e. the operating unit (69) is used to communicate instructions to the printer (1) as far as printing a image chosen by the user of the camera. The printer (1) is considered as the external processing apparatus; see fig. 4; col. 18, lines 45-67 and col. 19, lines 1-68),** the control method comprising:

starting communication between the image sensing apparatus and the external printing apparatus, with the external printing apparatus being a host and the image sensing apparatus being a slave **(i.e. shown in figure 23 is a VTR or camera connected to a printer. The 1349 I/F (13) is analogous to a communication control unit since it is used to start communication between the camera or VTR and the printer (101). The 1349 I/F is used to send control commands to the printer and once the printer receives this information, the printer is uses these commands to perform the instructed process. The printer is able to be controlled by the camera or VTR and therefore, can function as a host in the system. The camera can be used to control the printer through transmitted instructions and therefore,**

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**can perform the function of being a slave; see figs. 23 and 26; col. 19, ln 44-64, col. 21, ln 22 – col. 23, ln 45), to transfer the image signal to the external printing apparatus via the interface (i.e. the 1394 I/F is used to transmit sub data for image data to the printer in the system. The transfer occurs from the camera or VTR to the printer via the 1394 I/F; see figs. 23 and 26; col. 19, ln 44-64, col. 21, ln 22 – col. 23, ln 45);**

detecting, when a connection between the image sensing apparatus and the external apparatus is established (i.e. in the system, the camera or VTR can send sub data representing commands for the printer to perform, or instructions indicative of the commands. Also, the printer is able to send control instructions to the camera or VTR to control the camera or VTR based on these instructions and this occurs after the same 1394 I/F on the printer communicates with the respective I/F on the camera, or once a connection is established between the two devices; see figs. 23 and 26; col. 19, ln 44-64, col. 21, ln 22 – col. 23, ln 45), whether control relation between the image sensing apparatus (102) and the external printing apparatus (101) is a first type in which the external printing apparatus is configured in such a way that the image sensing apparatus can be accessed directly from the external printing apparatus (i.e. the VTR (102) is a camera with incorporated digital video. This device has the ability to recognize, or detect, when the printer (101) has issued a search for and transfer a designated picture to be transferred or printed. This feature is used when the printer (101) has an operating unit that can output instructions for the VTR. This is an example of the external



**processing apparatus directly accesses a camera from the printer; fig. 23 and 24; col. 21, lines 50-68 and col. 22, lines 1-19), or a second type in which the external printing apparatus is configured in such a way that processing in the external printing apparatus (101) can be controlled by a controller of the image sensing apparatus (102) (i.e. using the operation unit (10), the VTR (102) can be used to send instructions and control data to the printer (101). The control data can control the process of the printer (101). The VTR has to detect whether it is receiving instructions from a user to performing a controlling function on the printer, or if the instructions received is for the VTR or camera to be controlled; see fig. 23 and 24; col. 21, lines 22-44; col. 22, lines 49-67 and col. 23, lines 1-24), by communication with the external printing apparatus via the interface (10) (i.e. the operating unit (10) is used for entry of instructions to control the VTR (102) by the system controller (11); see fig. 23; col. 21, lines 28-44); and**

changing a processing procedure for processing an image in the image sensing apparatus (102) by the external printing apparatus (101) based on the determination (i.e. the system controller also determines whether direct printing is being performed or not. When in certain modes of printing, the system controller (11) of the VTR (102) processes an image in certain manners. The system controller may allow the printing unit (101) to either access the VTR's images or accept a command from the VTR for printing depending on the type of mode is used. An example of changing a processing procedure for processing an image is shown in columns 21-23. When the image data to be processed is present in a camera or

**VTR controlling environment, the printer is controlled by the instructions of the VTR or camera to perform a printing operation. The printer is not used to search for an image or anything else other than performing the printing operation. When the image is in a printer controlled environment, the printer instructs the camera or VTR to perform the searching for an image and the printer can change a selected image to be printed. The VTR simply performs the instructions from the printer. This is an example of based on the determination of controlling access, the processing procedure for processing an image is changed from having printer input through giving control instructions to the VTR or camera controlling the whole process without any input or instructions from the printer; see figs. 23-25; col. 21, lines 35-68; col. 22, lines 1-67 and col. 23, lines 1-67).**

However, Ito '405 fails to teach the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus.

However, this is well known in the art as evidenced by Rasche '873. Rasche '873 discloses the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus **(i.e. like the invention of Ito, Rasche involves a printer communicating directly with a camera. However, in the system of Rasche, the photoprinter (30) is able to access data of the computer readable medium (53) on the PC (50) via a communication link (40). The data stored on the computer readable medium (53) can be viewed and printed from the photoprinter. The user**

**may utilize the graphical user interface on the printer to access the photos from the printer on the PC; see figs. 1-3; col. 3, lines 14-50 and col. 5, line 46 – col. 6, line 27).**

Therefore, in view of Rasche '873, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus in order to have a means for accessing digital photographs stored on a computer readable medium (as stated in Rasche '873 col. 1, lines 55-67).

Re claim 15: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses the control method, wherein in a case where the control relation is the second type, the external printing apparatus (101) is controlled based on a predetermined file or command from the image sensing apparatus (102) **(i.e. the operating unit (10) is used for entry of instructions for various operations. One of these operations is involves generating command data for direct printing and this control data is transmitted to the printer (101); see fig. 23; col. 21, lines 35-44 and col. 22, lines 66, 67 and col. 23, lines 1-24).**

Re claim 17: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses the control method, wherein in a case where the control relation is the first type, the processing of the image from the image sensing apparatus (102) can be

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started in response to an operation of a switch provided in the external printing apparatus (101) **(i.e. on the printer (101), instructions may be entered on the operating unit (22). These instructions may be transmitted to the VTR (102) to perform operations, such as searching and transmitting desired pictures to print. The switch in the printer (101) is considered to be the operating unit (22) since the operating unit can cause an action in the VTR (102); see fig. 23-25; see col. 21, lines 50-68 and col. 22, lines 1-18).**

Re claim 18: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses the control method, wherein in a case where the control relation is the second type, the external printing apparatus (101) can start the processing of the image from the image sensing apparatus (102) in response to an operation of a switch provided in the image sensing apparatus (102) **(i.e. the operating unit (10) is used for the entry of instructions that can control the VTR (102) and send command data to the printer (101). The operating unit (10) is considered as the switch since the operation of the operating unit (10) can start image processing in the printer (101). Through the command data information from the VTR, the printer may print the image commanded to be printed through the control data; see figs. 23-25; col. 21, lines 35-44 and col. 22, lines 66, 67 and col. 23, lines 1-38).**

Re claim 20: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

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Ito '405 discloses the control method, wherein the external processing apparatus is a printing apparatus (101), which prints the image from the image sensing apparatus (102) **(i.e. the printing apparatus (101) prints the image from the VTR (102), which is considered the image sensing apparatus since it functions as a camera with incorporated video functions; see fig. 23; col. 21, lines 45-49).**

Re claim 51: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 discloses a computer readable storage medium storing a program for implementing the control method described in claim 14 **(i.e. the invention has a storage medium which is stored a software program code that implements the functions of the invention; see col. 29, lines 5-35).**

Re claim 55: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

However, Ito '405 fails to specifically teach the image sensing apparatus according to claim 1, wherein the first type is the control relation in which the external printing apparatus is capable of accessing to the memory of the image sensing apparatus but is not capable of accessing to the controller of the image sensing apparatus.

However, this is well known in the art as evidenced by Rasche '873. Rasche '873 discloses wherein the first type is the control relation in which the external printing apparatus is capable of accessing to the memory of the image sensing apparatus but is

not capable of accessing to the controller of the image sensing apparatus **(i.e. in the system, the photoprinter is used to access the computer readable medium in the PC in the system and not the CPU of the PC; see figs. 1-3; col. 3, lines 14-50 and col. 5, line 46 - col. 6, line 27).**

Therefore, in view of Rasche '873, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein the first type is the control relation in which the external printing apparatus is capable of accessing to the memory of the image sensing apparatus but is not capable of accessing to the controller of the image sensing apparatus incorporated in the device of Ito '405, as modified by Rasche '873, in order to have a means for accessing digital photographs stored on a computer readable medium (as stated in Rasche '873 col. 1, lines 55-67).

Re claim 60: The teachings of Ito '405 in view of Rasche '873 are disclosed above

However, Ito '405 fails to teach the control method according to claim 14, wherein the first type is the control relation in which the external printing apparatus is capable of accessing to the memory of the image sensing apparatus but is not capable of accessing to the controller of the image sensing apparatus.

However, this is well known in the art as evidenced by Rasche '873. Rasche '873 discloses wherein the first type is the control relation in which the external printing apparatus is capable of accessing to the memory of the image sensing apparatus but is not capable of accessing to the controller of the image sensing apparatus **(i.e. in the**

**system, the photoprinter is used to access the computer readable medium in the PC in the system and not the CPU of the PC; see figs. 1-3; col. 3, lines 14-50 and col. 5, line 46 - col. 6, line 27).**

Therefore, in view of Rasche '873, it would have been obvious to one of ordinary skill at the time the invention was made to have the method step of wherein the first type is the control relation in which the external printing apparatus is capable of accessing to the memory of the image sensing apparatus but is not capable of accessing to the controller of the image sensing apparatus incorporated in the device of Ito '405, as modified by Rasche '873, in order to have a means for accessing digital photographs stored on a computer readable medium (as stated in Rasche '873 col. 1, lines 55-67).

5. Claims 3, 16, 57 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito '405, as modified by Rasche '873, as applied to claims 1 and 14 above, and further in view of Tanaka '169 (US Pub No 2003/0007169).

Re claim 3: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 teaches the control method, wherein in a case where the control relation is the first type, a display unit (8) of the image sensing apparatus (102) **(i.e. similar to the digital camera in Ito '405, the VTR (102) uses the EVF as a display unit; see fig. 4 and 23; col. 18, lines 45-56 and col. 24, lines 13-19).**

However, Ito '405 fails to teach a display unit of the image sensing apparatus is switched to an energy-saving mode.

However, this is well known in the art as evidenced by Tanaka '169. Tanaka '169 discloses a display unit of the image sensing apparatus is switched to an energy-saving mode **(i.e. in paragraph [0070], the image pickup device, or the camera, is placed in a state in which the power consumption of the digital camera is reduced to save power, considered as a energy-saving mode; see paragraph [0070])**.

Therefore, in view of Tanaka '169, it would have been obvious to one of ordinary skill at the time the invention was made to have a display unit of the image sensing apparatus is switched to an energy-saving mode incorporated in the device of Ito '405, as modified by the device of Rasche '873, in order to have the power consumption of the digital camera reduced to save power (as stated in Tanaka '169 paragraph [0070]).

Re claim 16: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 teaches the control method, wherein in a case where the control relation is the first type, a display unit (8) of the image sensing apparatus (102) **(i.e. similar to the digital camera in Ito '405, the VTR (102) uses the EVF as a display unit; see fig. 4 and 23; col. 18, lines 45-56 and col. 24, lines 13-19)**.

However, Ito '405 fails to teach a display unit of the image sensing apparatus is switched to an energy-saving mode.

However, this is well known in the art as evidenced by Tanaka '169. Tanaka '169 discloses a display unit of the image sensing apparatus is switched to an energy-



saving mode (**i.e. in paragraph [0070], the image pickup device, or the camera, is placed in a state in which the power consumption of the digital camera is reduced to save power, considered as a energy-saving mode; see paragraph [0070]).**

Therefore, in view of Tanaka '169, it would have been obvious to one of ordinary skill at the time the invention was made to have a display unit of the image sensing apparatus is switched to an energy-saving mode incorporated in the device of Ito '405, as modified by the device of Rasche '873, in order to have the power consumption of the digital camera reduced to save power (as stated in Tanaka '169 paragraph [0070]).

Re claim 57: The teachings of Ito '405, as modified by Rasche '873 and further in view of Tanaka '169 are disclosed above.

However, Ito '405, as modified by Rasche '873, and further in view of Tanaka '169 fails to specifically teach the image sensing apparatus according to claim 3, wherein, in the energy-saving mode, the display unit is turned off or is controlled so as not to display any image.

However, this is well known in the art as evidenced by Tanaka '169. Tanaka '169 discloses wherein, in the energy-saving mode, the display unit is turned off or is controlled so as not to display any image (**i.e. in the system, the display on the back of the image pickup device, or camera, is turned off; see paragraph [0070]).**

Therefore, in view of Tanaka '169, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein, in the energy-

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saving mode, the display unit is turned off or is controlled so as not to display any image incorporated in the device of Ito '405, as modified by Rasche '873, in order to have the power consumption of the digital camera reduced to save power (as stated in Tanaka '169 paragraph [0070]).

Re claim 62: The teachings of Ito '405, as modified by Rasche '873, and further in view of Tanaka '169 are disclosed above.

However, Ito '405 in view of Rasche '873 fails to teach the control method according to claim 16, wherein, in the energy-saving mode, the display unit is turned off or is controlled so as not to display any image.

However, this is well known in the art as evidenced by Tanaka '169. Tanaka '169 discloses wherein, in the energy-saving mode, the display unit is turned off or is controlled so as not to display any image **(i.e. in the system, the display on the back of the image pickup device, or camera, is turned off; see paragraph [0070])**.

Therefore, in view of Tanaka '169, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein, in the energy-saving mode, the display unit is turned off or is controlled so as not to display any image incorporated in the device of Ito '405, as modified by Rasche '873, in order to have the power consumption of the digital camera reduced to save power (as stated in Tanaka '169 paragraph [0070]).

6. Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito '405, as modified by Rasche '873, as applied to claims 1 and 14 above, and further in view of Rissman '743 (USP 6552743).

Re claim 6: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 teaches the image sensing apparatus, wherein in a case where the control relation is the first type, the external processing apparatus comprises a display unit (26) which displays (i.e. the display unit on the printer (101) displays messages regarding the statuses of the printer and the VTR (102); see fig. 24; col. 21, lines 50-68 and col. 22, lines 1-18).

However, Ito '405 fails to teach comprises a display unit which displays the image from the image sensing apparatus.

However, this is well known in the art as evidenced by Rissman '743. Rissman '743 discloses the external processing apparatus comprises a display unit which displays the image from the image sensing apparatus (i.e. a user interface and a display device integrated into the digital-camera ready printer allow a user to view an electronic image; see fig. 3; col. 2, lines 52-63).

Therefore, in view of Rissman '743, it would have been obvious to one of ordinary skill at the time the invention was made to have the external processing apparatus comprises a display unit which displays the image from the image sensing apparatus incorporated in the device of Ito '405, as modified by the device of Rasche

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'873, in order to view electronic images on the printer (as stated in Rissman '743 col. 2, lines 52-63).

Re claim 19: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

Ito '405 teaches the control method, wherein in a case where the control relation is the first type, the external processing apparatus comprises a display unit (26) which displays (i.e. the display unit on the printer (101) displays messages regarding the statuses of the printer and the VTR (102); see fig. 24; col. 21, lines 50-68 and col. 22, lines 1-18).

However, Ito '405 fails to teach comprises a display unit which displays the image from the image sensing apparatus.

However, this is well known in the art as evidenced by Rissman '743. Rissman '743 discloses the external processing apparatus comprises a display unit which displays the image from the image sensing apparatus (i.e. a user interface and a display device integrated into the digital-camera ready printer allow a user to view an electronic image; see fig. 3; col. 2, lines 52-63).

Therefore, in view of Rissman '743, it would have been obvious to one of ordinary skill at the time the invention was made to have the external processing apparatus comprises a display unit which displays the image from the image sensing apparatus incorporated in the device of Ito '405, as modified by the device of Rasche '873, in order to view electronic images on the printer (as stated in Rissman '743 col. 2, lines 52-63).

7. Claims 56 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito '405, as modified by Rasche '873, as applied to claims 1 and 14 above, and further in view of Kitagawa '021 (USP 6357021).

Re claim 56: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

However, Ito '405 in view of Rasche '873 fails to **specifically** teach the image sensing apparatus according to claim 1, wherein the first type is the control relation conforming to Mass Storage Class of a USB interface.

However, this is well known in the art as evidenced by Kitagawa '021. Kitagawa '021 discloses wherein the first type is the control relation conforming to Mass Storage Class of a USB interface (**i.e. in the system, the host computer can be connected to a digital camera. The USB connection is compliant to the USB mass storage class specification. Both Ito '405 and Rasche '873 has an external processing apparatus connected to a camera device, but these references do not specifically state being compliant to the mass storage class specification. Kitagawa '021 cures this one feature that is not specifically disclosed since a computer, considered as the external image processing device, is able to communicate to the digital camera compliant with the USB MSC definition; see col. 2, lines 48-59).**

Therefore, in view of Kitagawa '021, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein the first

type is the control relation conforming to Mass Storage Class of a USB interface, incorporated in the device of Ito '405, which is modified by the device of Rasche '873, in order to have a device connected to a peripheral device that is compliant with the USB mass storage class definition (as stated in Kitagawa '021).

Re claim 61: The teachings of Ito '405 in view of Rasche '873 are disclosed above.

However, Ito '405 in view of Rasche '873 fails to teach the control method according to claim 14, wherein the first type is the control relation conforming to Mass Storage Class of a USB interface.

However, this is well known in the art as evidenced by Kitagawa '021. Kitagawa '021 discloses wherein the first type is the control relation conforming to Mass Storage Class of a USB interface **(i.e. in the system, the host computer can be connected to a digital camera. The USB connection is compliant to the USB mass storage class specification. Both Ito '405 and Rasche '873 has an external processing apparatus connected to a camera device, but these references do not specifically state being compliant to the mass storage class specification. Kitagawa '021 cures this one feature that is not specifically disclosed since a computer, considered as the external image processing device, is able to communicate to the digital camera compliant with the USB MSC definition; see col. 2, lines 48-59).**

Therefore, in view of Kitagawa '021, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein the first

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type is the control relation conforming to Mass Storage Class of a USB interface incorporated in the device of Ito '405, as modified by Rasche '873, in order to have a device connected to a peripheral device that is compliant with the USB mass storage class definition (as stated in Kitagawa '021).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Shiraiwa (US Pub No 2002/0105678) discloses a feature where the camera can change its mode of operation from being a camera that directs a printer to print an image.

10. Morimoto (6774935) discloses a system where a camera can be a master unit controlling other units, such as a printer, and a unit that is being controlled or access.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAD DICKERSON whose telephone number is (571)270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571)-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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